

**THE MINUTES
FOR THE JUNE 19, 2012
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
MEETING AT 6:00 P.M.**

Present: Mayor Doll, Trustees Kehoe, Maline, McMullen and Tobin, Village Clerk Donna Koch, Village Administrator Gene Guido, Village Attorney James Matthews, Chief Bruckenthal.

ANNOUNCEMENTS:

PRESENTATIONS: no presentations

PUBLIC HEARINGS: no public hearings

PUBLIC COMMENT: Before Public comment Mayor Doll reported that the Village will now adhere to the three minute rule. Anyone wishing to speak will have three minutes to do so.

A representatives of Nina's Pizza asked permission to hold the second annual street fair whereby they block off Main Street from Laurel to Norwood from noon till 5:00 PM on August 5th, 2012. With all proceeds going to Saint Baldricks. They are aware they will have to pay for any Police overtime in connection with this event. The Board approved this request.

John Desiderio, asked for clarification on the map he reviewed at Village Hall earlier in the week. Mr. Desiderio felt it was not the map Mayor Doll stated he had seen in the archives. The Mayor explained that this map shows the elevations all leading into the drop boxes and the leaching fields radiating out from there. The next issue was that Mr. Desiderio reported that the Whales tale is in violation whereby they had forty or fifty people on the deck drinking. He has filed a police report. Mr. Kehoe stated he talked to the owner of Whales Tale and those people were not patrons of the Whales Tale.

Betty Koerner, stated that it seemed to her the Board is being discretionary. Ms. Koerner stated that being a Mayor or Board member is more than walking behind a mounted white horse in a parade down Main St.

Jeff Bartell questioned the Board as to whether or not the Village had a policy for the collection and disposal of E waste. Trustee Kehoe stated no. Mr. Bartell is working on a law with the guidelines as to how to dispose of E waste.

BOARD APPROVAL OF WARRANT:

On the motion of Trustee Tobin and seconded by Trustee Kehoe the following bills were approved for payment.

Fiscal Year 2012/2013 General Fund bills in the amount of \$112,625.09

On the motion of Trustee McMullen and seconded by Trustee Maline the following bills were approved for payment.

Fiscal Year 2012/2013 Capital Fund bills in the amount of \$11,401.00

On the motion of Trustee Kehoe and seconded by Trustee Maline the following bills were approved for payment.

Fiscal Year 2012/2013 Sewer Fund bills in the amount of \$ 377.80

On the motion of Trustee Maline and seconded by Trustee McMullen the following bills were approved for payment.

Fiscal Year 2012/2013 Fire Department bills in the amount of \$28,287.71

COMMISSIONER'S REPORTS: Trustee Maline reported all is well.

Trustee McMullen reported the Parks Department has been busy and is ready for the pre-prom, which is a huge event.

Trustee Tobin reported that he has spoken to Mr. Guido about hiring an assistant to help with the various projects and grants. Mayor Doll stated getting an assistant might be beneficial. Effie Huber, stated for the record she felt Mr. Guido is doing a wonderful job. Trustee Tobin continued his report stating, sewer bills will be going out soon and he would like to see an informational insert (regarding water usage) be put in with the bills

Tom Kehoe will be meeting with the Chamber this week to go over the Tuesday Night Happenings. Mayor Doll reported that highway has been busy making street signs, painting lines and sweeping. The second sweeper is back from repair and will be out in full force.

ADMINISTRATOR'S REPORT: Mr. Guido reported that his two items have already been covered.

CHIEF OF POLICE REPORT: Chief Bruckenthal reported the department is getting ready for their busy season. Thursday is the pre-prom in the park and it's expected to be very hot and they need to take that into consideration. He also stated that the parking restriction resolution for the fireman's fair was absentmindedly left off the agenda tonight. The restrictions are the same as years past. The Board agreed to put on a resolution tonight allowing the parking restrictions. Trustee McMullen asked the chief to look into locking the stop signs for school crossings. Last week he saw kids playing with them and sometimes one will be up and the other side of the street will be down. The Chief said they would look into it.

NEW BUSINESS: Trustee Kehoe brought up the subject of implementing a recreational fee, something like a \$40, or \$50 fee. This would be a separate line item on the tax bills and the money would be designated for capital projects to the parks and dock. Trustee Kehoe stated the Villages greatest resource is our parks and dock and we need to take care of them. Mr. Matthews suggested putting it out for permissive referendum and let the resident decide.

OLD BUSINESS: no old business.

CORRESPONDENCE: no correspondence.

REQUESTS: A request from the Northport Chamber to place signs announcing the Farmers Market from now till the end of the market in November. The Board approved this request.

RESOLUTIONS:

The following resolution was put on hold until the next meeting.

RESOLUTION 2012- 83 ~ APPROVAL OF THE JUNE 5, 2012 MINUTES

WHEREAS: Copies of the minutes of the June 5, 2012, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

On the motion of Mayor Doll and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2012 – 84 ~

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Village of Northport , P.I.N. 0760.04 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the Village of Northport desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of PE Design for Highway Safety

NOW, THEREFORE, the Board of Trustees of the Incorporated Village of Northport, duly convened does hereby

RESOLVE, that the Board of Trustees hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Board of Trustees of the Incorporated Village of Northport hereby authorizes the payment in the first instance of 100% of the federal and non-federal share of the cost of PE Design Project work or portions thereof; and it is further

RESOLVED, that the sum of \$7,000.00 is hereby appropriated from budget line; and it is further

RESOLVED, that in the event the full federal and non-federal share of costs of the project exceeds the amount

Appropriated above, the Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Administrator, and it is

further

RESOLVED, that the Mayor of the Incorporated Village of Northport be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Incorporated Village of Northport with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately

On the motion of Trustee McMullen and seconded by Trustee Tobin the following resolution was unanimously approved.

RESOLUTION 2012 - 85 ~PROPOSED LOCAL LAW "A" OF 2012

PLEASE TAKE NOTICE: that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 17th day of July, 2012, to consider the following proposed local law:

**LOCAL LAW "A" OF 2012
A LOCAL LAW OF
THE VILLAGE OF NORTHPORT
TO AMEND THE CODE OF THE VILLAGE OF NORTHPORT
TO DELETE IN ITS ENTIRETY CHAPTER 264 SWIMMING POOLS**

BE IT ENACTED: By the Board of Trustees of the Village of Northport as follows:

Section 1. Legislative Intent

The Board of Trustees finds that the New York State Building Code, which is in full force and effect in the Incorporated Village of Northport, includes regulations regarding pool enclosure requirements that provide protection to the public equal to or greater than Chapter 264 of the Village Code. Furthermore, the Board finds that the Village is required to adhere to the State Building Code unless unique local conditions can be demonstrated to justify deviations from the State Building Code. Based upon the fact that the pool enclosure requirements set forth in the State Code are sufficient to provide protection to the public, the Board finds that there are no grounds to deviate from the State Building Code.

Section 2. Statutory Authority

This Local Law is adopted pursuant to New York State Village Law and Municipal Home Rule Law.

Section 3. Applicability

The provisions of this Local Law shall apply to all properties located within the territorial limits of the Incorporated Village of Northport.

Section 4. Amendments

Chapter 264 SWIMMING POOLS is hereby deleted in its entirety.

Section 5. SEQRA

The Board of Trustees has determined that pursuant to §617.5(c) 20 and 27 of the SEQRA regulations this action of the Village of Northport is "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "adoption of regulations, policies, procedures and local legislative decisions in connection with any Type II action . . ." and therefore, the proposed action of the Village of Northport in this matter is a Type II action and requires no further action pursuant to SEQRA.

Section 6. Effective Date

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

On the motion of Trustee Tobin and seconded by Trustee McMullen the following resolution was unanimously approved.

RESOLUTION 2012 – 86 ~ PARKING RESTRICTIONS

BE IT RESOLVED: The parking restrictions in connection with the Northport Fireman's fair as explained to be the same as previous years is hereby approved.

The next regular meeting of the Board of Trustees will be on July 17, 2012 at 6:00 p.m.

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch
Village Clerk